



# **Austin City Council MINUTES**

**For** DECEMBER 12, 1985 - 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

## **City Council**

**Frank C. Cooksey**  
Mayor

**John Treviño, Jr.**  
Mayor Pro Tem

**Council Members**  
**Mark Rose**  
**Smoot Carl-Mitchell**  
**Sally Shipman**  
**George Humphrey**  
**Charles E. Urdy**

**Jorge Carrasco**  
City Manager

**Elden Aldridge**  
City Clerk

## **Memorandum To:**

Mayor Cooksey called to order the meeting of the Council at 1:25 p.m., noting the presence of all Councilmembers.

### **MINUTES APPROVED**

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, approved minutes for regular meeting of December 5, 1985 and special meeting of December 3, 1985. (4-0 Vote, Councilmembers Rose and Urdy and Mayor Pro Tem Trevino out of the room.)

### **RECESS**

Council recessed its meeting at 1:26 p.m. for a meeting of the Austin Housing Finance Corporation and resumed its recessed meeting at 1:28 p.m.

### **CITIZENS COMMUNICATIONS**

Mr. Dan Harrison, Ms. Regina Shultz and Mr. Tom Smith discussed the South Texas Nuclear Project. Mr. Lanny Sinkin did not appear.

Ms. Linda Rodriguez and Ms. Margaret Gomez who had requested to speak on East Austin Child Care Assistance Plan did not appear.

Mr. Veon McReynolds talked about wanting a hearing re Blackland's CDBG funds for acquisition of land and building of houses west of Chicon Street.

Mr. Kevin McGuire and Ms. Glenn Scotte, representing AFSCME, appeared before Council to discuss overtime policy. They said the new policy governing same should have been discussed with the Union before the fact

rather than after the fact. Ms. Scott said the employees would like the change rescinded concerning overtime pay so if one has vacation or sick leave during the week and then works overtime, they will be paid at 1½ times their hourly wage rather than regular time.

Mayor Cooksey asked if there was a separate resolution in the budget for this procedure. Mr. Carrasco told him no, it was part of the budget process. Mayor Cooksey said he wants a report on the fiscal impact of both policies.

#### PUBLIC HEARING - TEFRA

Mayor Cooksey opened the public hearing set for 2:00 p.m. on provisions of Tax Equity and Fiscal Responsibility Act (TEFRA) for the following multifamily projects. No one appeared to speak.

##### Motion

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, closed the public hearing on Stassney Wood Apartments. (5-0 Vote, Councilmembers Rose and Urdy out of the room.)

##### Motion

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, closed the public hearing on the Montri Apartments. (5-0 Vote, Councilmembers Rose and Urdy out of the room.)

##### Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, closed the public hearing on Johnston Terrace Apartments. (5-0 Vote, Councilmembers Rose and Urdy out of the room.)

#### CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, waived the requirement for three readings and finally passed the following ordinances in one motion: (7-0 Vote)

##### Operating Budget Amendment

Amended the 1985-86 Operating Budget by:

- a. Appropriating \$158,500.00 from the General Fund Ending Balance for the purpose of contracting "First Responder Fire and EMS Service in newly annexed areas.
- b. Appropriating an additional \$1,500.00 from the Cultural Arts Fund ending balance to fund the Live Oak Productions.

Item Postponed

Postponed until January 9, 1986 consideration of amending the Northwest Area Land Use Guidance Plan by establishing a corridor for higher intensity uses and providing a method for determining equivalent uses.

Item Postponed

Postponed Ordinance No. 850905-J (Interim Development Controls for the Onion, Bear and Little Bear Watersheds) to provide for approval of exemptions from requirements imposed thereby until December 19, 1985.

Rates for Laidlaw Transit, Inc.

Ratified the rates-of-fare for the Laidlaw Transit, Inc. shuttle bus system:

<u>Academic Year</u>	<u>Rate of Fare</u>
1986-87	\$21.86 per hour
1987-88	\$22.39 per hour
1988-89	\$23.08 per hour

Election Polling Places

Amended Ordinance No. 851031-0 in relation to the election Polling place for citizens of Austin residing in Williamson County.

Zoning Ordinances

Amended Chapter 13-2A and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following changes:

- a. V.P.H., INC. 605 Deen Street From "LR" to  
By Elizabeth Conti "GR"  
C14-85-230

Heard and granted October 24, 1985, (6-0).  
Mayor Frank C. Cooksey out of room at roll call.  
Conditions have been met as follows: Restrictive  
Covenant incorporating conditions imposed by  
Council has been executed.

(5-1-0 Vote, Councilmember Humphrey voted No.)

Second & Third Readings Of Zoning Ordinances

Approved second and third readings of ordinances amending Chapter 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following changes:

Z-K REAL ESTATE                      9447-9719 Research                      From Interim "SF-2"  
By David B. Armbrust              Boulevard                      to "CH" & "CS"  
C14r-85-145

Heard and granted on November 14, 1985, (5-1-0).  
Councilmember George Humphrey voted "no." Council-  
member Sally Shipman absent. Conditions have been  
met as follows: Development restricted to that  
shown on site plan attached as Exhibit "A" to  
ordinance. (6-1 Vote, Councilmember Humphrey voted No.)

STONEBRIDGE MALL,                      9721-10125 Research                      From Interim "SF-2"  
LTD.                      Boulevard                      & "GR" to "CH"  
By David C. Boderman  
C14r-85-146

Heard and granted on November 14, 1985, (5-1-0).  
Councilmember George Humphrey voted "no". Council-  
member Sally Shipman absent. Conditions have been  
met as follows: Development restricted to that  
shown on site plan attached as Exhibit "A" to  
ordinance. (6-1 Vote, Councilmember Humphrey voted No.)

Z-K-F/CROWN JOINT                      Intersection of U.S.                      From Interim "SF-2"  
VENTURE                      183 & Proposed extension                      to "CH"  
by David C. Boderman                      of MoPac Boulevard  
C14r-85-147

Heard and granted on November 14, 1985, (5-1-0).  
Councilmember George Humphrey voted "no". Council-  
member Sally Shipman absent. Conditions have been  
met as follows: Development restricted to that  
shown on site plan attached as Exhibit "A" to  
ordinance.

(6-1 Vote, Councilmember Humphrey voted No.)

MORRIS-CROW JOINT                      10127-10225 Research                      From "GR" to "CH"  
VENTURE                      Boulevard  
By David C. Boderman  
C14r-85-144

First Reading only on November 14, 1985, (5-1-0).  
Councilmember Sally Shipman absent. Councilmember  
George Humphrey voted "no". Conditions have been  
met as follows: Development restricted to that  
shown on site plan attached as Exhibit "A" to  
ordinance.

(6-1 Vote, Councilmember Humphrey voted No.)

Zoning Postponed

Postponed until December 19, 1985 the following zoning case:

ALFRED D. HUGHES	9123-9157 U.S. 183,	From "LI" & "CS-1"
By David B. Armbrust	9110-9200 Burnet Road	to "LI-PDA"
C14r-85-143		

First reading only on November 7, 1985, (5-1).  
Councilmember George Humphrey voted "no". Council-  
member Mark Rose absent. Conditions have been met  
as follows: Development restricted to that shown  
on site plan attached as Exhibit "A" to the ordinance.

**HILL COUNTRY ROADWAY CORRIDOR**

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, passed through SECOND READING of an ordinance amending Chapter 13-2(A) (Zoning Ordinance) of the City Code 1981, providing for a definition of "Hill Country Roadway Corridor," adding new sections 5130-5149, and providing requirements and criteria for development within the "Hill Country Roadway Corridor." (4-2-0 Vote, Councilmember Urdy and Mayor Pro Tem Trevino voted No, Councilmember Rose abstained due to conflict of interest.) Third reading will be January 9, 1986.

**LOOP 360 MORATORIUM**

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 850523-J, extending the Loop 360 Moratorium until January 10, 1986. (6-0 Vote, Councilmember Rose abstained.)

**COMPREHENSIVE PLAN STEERING COMMITTEE**

The Council, on Councilmember Urdy's motion, Mayor Pro Tem Trevino's second waived the requirement for three readings and finally passed an ordinance exempting members of the Comprehensive Plan Steering Committee from provisions of the City's Ethics and Financial Disclosure Ordinances, Chapter 2-3 of the Austin City Code of 1981. (7-0 Vote)

**ITEM POSTPONED**

Postponed until December 19, 1985 consideration of amending lease with State Realty Company for the Austin Fire Department (Code Compliance Section).

## CONSENT RESOLUTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, adopted the following resolutions in one consent motion: (7-0 Vote)

Capital Improvements Program

Approved acquisition of a 1.242 acre (48,969.16 square feet) of land for the purpose of Highway 183 (Research Blvd. and Loop 1 (MoPac) interchange right-of-way and a 30 foot public utility easement. C.I.P. No. 85/62-01.

Approved supplemental amendments to the following professional services agreements:

- a. Between the City of Austin and Alan Plummer and Associates, Inc., for the wastewater treatment plant discharge permit assistance and Colorado River water quality assessment services. C.I.P. No's. 82/23-81, 85/23-16, 73/23-83 (\$87,400.00).

Contracts Approved

- |  |   |
|--|---|
| a. ROBERT JENTISCH CONSTRUCTION COMPANY<br>5109 Manchaca Road<br>Austin, Texas | - CAPITAL IMPROVEMENTS PROGRAM -<br>Construction of Sitework,<br>Foundations, Manholes, Prefab<br>Metal Building, Fencing &<br>Underground Electric Ductline<br>Carson Creek Substation, Electric<br>Utility Department<br>Total \$278,599.00, C.I.P. No.<br>85/16-12 |
| b. DIXIE SALES COMPANY<br>1615 University Blvd. West<br>Jacksonville, Florida  | - Polaroid Photographic Supplies,<br>Austin Police Department<br>Twelve (12) Month Supply Agreement<br>Items 1-4 - \$54,022.00<br>86-0001-GW  |
| c. ALLIED AMERICAN COMPANY, INC.<br>3913 Todd Lane<br>Austin, Texas            | - Metal Record Storage Shelving,<br>Financial Services Department<br>Twelve (12) Month Supply Agreement<br>Total \$59,800.00 86-0020-DC   |
| d. ABBOTT LABS<br>Abbott Park D-361<br>North Chicago, Illinois                 | - Solutions,<br>Brackenridge Hospital<br>Twelve (12) Month Supply Agreement<br>Total \$95,502.97 BS6-002  |
| e. SEGUIN PRODUCE, INC.<br>159 Twin Oak<br>Seguin, Texas                       | - Bulk Produce,<br>Brackenridge Hospital<br>Twelve (12) Month Supply Agreement<br>Total \$32,497.92 BC6-004   |

- f. Bid award:
- Weatherization Program for the Economically Disadvantaged, Resource Management Department  
Total \$93,500.00 86-S118-BD
  - (1) TRAVIS COUNTY DEPARTMENT OF HUMAN SERVICES  
624B North Pleasant Valley Road  
Austin, Texas
    - Total \$44,000.00
  - (2) AUSTIN ENERGY SOLUTIONS  
6310 Big Cat Cove  
Austin, Texas
    - Total \$49,500.00

Approach Main Approval Postponed

Postponed indefinitely approval of the following approach main:

582 Bud Johnson Trustee Water A.M.

Austin Industrial Development Revenue Bonds Postponed

Postponed indefinitely was approval of issuance by the Austin Industrial Development Corporation of an issue of the Austin Industrial Development Revenue Bonds (Insurance Companies Joint Venture) series 1985; approving the resolution authorizing the bonds, the issuance of the bonds thereby, and the plan of financing thereby and the bond documents, and approving the project to be financed with the bonds in the amount of \$8,500,000.00.

Postponed indefinitely was approval of the issuance of the Austin Industrial Development Corporation of an issue of the Austin Industrial Development Corporation Industrial Development Revenue Bonds (South First Street Joint Venture) series 1985, approving the resolution authorizing the bonds, the issuance of the bonds thereby and the plan of financing thereby and the bond documents, and approving the project to be financed with the bonds in the amount of \$1,220,000.00.

Low Level Wind Shear Alert System

Approved the lease of City-owned real estate to the United States of America for the establishment of the Low Level Wind Shear Alert System (LLWSAS).

Item Postponed

Postponed until January 9, 1986 is consideration of approval of a 1985 Transmission Agreement between the Lower Colorado River Authority and the City of Austin.

Pipe Line License Agreement

Approved a Pipe Line License Agreement with the Southern Pacific Transportation Company for placement of an eight (8) inch wastewater line and a twenty-four (24) inch water line across Southern Pacific Transportation Company's right-of-way to serve Walnut Creek Center.

Public Hearings Set

Set public hearings on the following:

- a. Decker Creek MUDs 1-5: December 19, 1985 at 6:30 p.m.
- b. Point Venture II MUD: December 19, 1985 at 7:00 p.m.

Item Pulled

Pulled off the agenda consideration of a resolution regarding tax-exempt status of bonds for water and energy conservation.

Professional Engineer Tunnel Expert

Approved hiring a professional engineer tunnel expert to represent the City's interest and provide the necessary quality control inspection expertise for the Johnson Creek Stormwater Bypass Tunnel, not to exceed \$60,000.

SUPPLEMENTAL AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, adopted a resolution approving a supplemental amendment to the professional services agreement between the City of Austin and Espey, Huston & Associates, Inc., for the Govalle to Onion Creek Wastewater Treatment Plants Transfer Main (a component of the Austin Wastewater Action Strategy). C.I.P. No. 73/23-83 (\$445,000.00) 6-1 Vote, Councilmember Humphrey voted No.)

APPROACH MAINS APPROVED

The Council, on Councilmember Rose's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving the following approach mains: (7-0 Vote)

NOTE: The amount of LUE's approved for wastewater commitment does not guarantee service in the event the flows to affected treatment plants exceed legally permitted flows; and does not imply commitment for land use. (Water & Wastewater and Planning Commission recommended approval.)

(see next page)



- 668 Faulkner Tract Water A.M.
- 763 Southwest 1353 Wastewater A.M.
- 799 Further South Park Wastewater A.M. (City Cost Participation)
- 833 50 Acres Oak Hill Water A.M.
- 834 50 Acres Oak Hill Wastewater A.M. (City Cost Participation)
- 870 Legends Park Water A.M. (City Cost Participation)
- 871 Legends Park Wastewater A.M.
- 882 Tanglewild Estates No. 3 Water A.M.
- 883 Tanglewild Estates No. 3 Wastewater A.M.
- 888 Wendeland Tract Water A.M. (City Cost Participation)
- 889 Wendeland Tract Wastewater A.M. (City Cost Participation)
- 891 Yager Lane Commercial Wastewater A.M.
- ✓ 893 Hamilton South Wastewater A.M. (City Cost Participation)
- 929 Hwy 290 W/Faulkner Wastewater A.M.
- 950 Northridge Park, Sec 2 Water A.M.
- 951 Northridge Park, Sec 2 Wastewater A.M.

#### HOUSING FINANCE CORPORATION NOTE

The Council, on Councilmember Rose's motion, Councilmember Humphrey's second adopted a resolution approving the \$13,300,000 Austin Housing Finance Corporation Note (Stassney Woods Apartment Project), Series 1985. (7-0 Vote)

#### ETJ EXCHANGE WITH ROUND ROCK

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, approved an extra-territorial jurisdiction exchange agreement with the City of Round Rock. (6-0 Vote, Councilmember Urdy out of the room.)

#### PUBLIC HEARING

Mayor Cooksey opened the public hearing set for 3:30 p.m. on Austin Industrial Development Corporation financing of a commercial project at 201-203 East Sixth Street (Lots 11 & 12) Block 57, Austin, Texas: Development Area.

Paula Phillips reviewed.

Philip Creer, Historic Landmark Commission member, read a letter from Betty Phillips, president of the commission, in which she said they oppose an office tower in conjunction with the Gellman buildings.

Mary Arnold said she was told Industrial Development Bonds would not be considered for this project.

The developer of Hannig Row spoke.

Leon Barisch echoed the Historic Landmark Commission feelings and asked that this not be approved.

Stephen Gellman, who owns Gellman's Department Store, asked Council to approve.

Steve Heidrick said it is not fair to tell people they cannot take advantage of things people in other states and cities are taking advantage of.

Councilmember Rose said the Council policy has been that as long as the money is available "we will not choose to penalize people in Austin who want to use it."

Councilmember Humphrey said the loan is not to Gellman's but to 6th and Brazos, Ltd., which is a branch of Watson-Casey Company.

#### Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, closed the public hearing and DENIED. (3-4 Vote, Mayor Cooksey, Councilmember Carl-Mitchell, Humphrey and Shipman vote No.)

No action was taken on a resolution approving the Austin Industrial Development Corporation Board of Director's inducement, nor a unit resolution authorizing the issuance of revenue bonds to Sixth and Brazos, Ltd.

#### BOARD & COMMISSION REPORTS

The Brackenridge Hospital Board report on Brackenridge 2000 was postponed until December 19, 1985.

Roger Duncan presented a report from Resource Management Commission on Issues Relating to the Potential Purchase of Southern Union Gas.

#### RECESS

Council recessed its meeting from 4:18 p.m. to 4:29 p.m. for the Austin Industrial Development Corporation meeting. Council resumed its regular meeting long enough to recess the meeting from 4:30 p.m. to 4:40 p.m.

#### PUBLIC HEARING SET

Council set a public hearing for December 19, 1985 at 7:30 p.m. on amending Chapter 13-3 Article VII, Division 2 (Subdivision Ordinance, Barton Creek Watershed) regarding cluster housing.

RECESS - Council recessed its meeting from 4:30 to 4:40 p.m.

#### ZONING HEARINGS

Mayor Cooksey announced Council would hear the following zoning cases. Council heard, closed the public hearings, granted "LO" and passed through FIRST READING ONLY of the ordinances.

- |   |                  |   |
|---|------------------|---|
| (1) -85 EDWARD ALLEN<br>293 By Helen Fisher                 | 1516 Koenig Lane | From "SF-3"<br>To "LR"<br>RECOMMENDED subject to a joint use driveway with access onto Arroyo Seca. In addition, the applicant will submit a restrictive covenant restricting against food sales, restaurant convenience and service stations and is subject to dedication of up to 40 feet of right-of-way from center-line of Koenig. |
| <u>GRANTED "LO" - FIRST READING ONLY</u>                    |                  |   |
| (2) -85 MRS. DONALD<br>294 (OLETA) HEINE<br>By Helen Fisher | 1518 Koenig Lane | From "SF-3"<br>To "LR"<br>RECOMMENDED subject to joint use driveway with access onto Arroyo Seca. In addition, the applicant will submit a restrictive covenant restricting against food sales, restaurant convenience and service stations and is subject to dedication of up to 40 feet of right-of-way from centerline of Koenig.    |

GRANTED "LO" - FIRST READING ONLY

Martin Boozer, representing the applicant, said they asked for "LR" because the owners are getting older, they do not have buyers as yet, but want "LR" for marketing flexibility when they do decide to sell their property.

Oleta Heine, 1518 Koenig Lane, said she had been told her property was "C" commercial when she bought it and had paid higher taxes on it because of this for years; then found out it was residence. She had a petition with 74 signatures of residents in her neighborhood who favor "LR". Frances Smith, who lives around the corner favors "LR" with restrictions. Bruce Thompson also has no problem with "LR". Don Leightenboro is against "LO" because of traffic. Mrs. Schumaker thinks "LR" is all right, as does Linda Hayes. A woman who did not identify herself from the Central Northwest Neighborhood Association, opposes any zoning change. Al McMurty, zoning chairman, Allendale Neighborhood Association, asked for "LO". Beverly Kimbro is uncomfortable deviating from Koenig Lane guidelines. Pam Durwell is against a change.

(On Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, 7-0 Vote.)

#### EXECUTIVE SESSION

Mayor Cooksey announced Council would go into executive session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No official action of the City Council will be taken unless such item is specifically listed on the agenda. Mayor Cooksey said Council would discuss:

- a. Board & Commission Appointments - Section 2, Paragraph g.
- b. Selection of Municipal Court Judges - Section 2, Paragraph g.
- c. Pending Litigation, including but not limited to:

- (1) Houston Lighting and Power Company, et al vs. Brown and Root, et al Matagorda County, and City of Austin vs. Houston Lighting and Power Company in Travis County - Section 2, Paragraph e.

#### RECESS

Council recessed its meeting at 5:45 p.m. and resumed its at 7:30 p.m.

#### HEARING POSTPONED

Mayor Cooksey announced the hearing on the appeal from Mr. Rusty Malik of the Planning Commission's decision on Case No. RZ-85-048 (site plan approval) on behalf of the Sigmores Corporation was postponed until January 16, 1986 at 5:30 p.m.

## AUSTIN AVANTE PLAZA

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving a lease with Austin Avante Plaza for Vehicle Equipment Services Administrative Offices. (7-0 Vote)

## ZONING HEARINGS

Mayor Cooksey announced Council would hear the following zoning cases. Council heard, closed the public hearings, granted and instructed the City Attorney to draw up the necessary ordinances.

r-85 WALTER VACKAR 14000 Hwy. 183  
178 CUNNINGHAM & North & R.M. 620  
m-85 ASSOC. NO. II  
001 LAKELINE  
By David B. Armbrust

From "I-RR"  
To Trs. 1,2,4 "CS"  
Trs. 3,16,22 "P"  
Trs. 5,6 "GO"  
Trs. 7,8,9,10,11,12,  
13,27,28, "GR"  
Trs. 14,15,23,24,25,  
29 "CH"  
Trs. 17 (part), 19,  
20 (part), 26  
"MF-3"  
Trs. 21,30 "SF-6"  
(Trs. 18, part of  
17 and most of 20  
are in Cedar Park)  
RECOMMENDED subject to  
a phasing and construc-  
tion agreement, subject  
to submittal of a site  
plan for each tract, staff  
is to monitor traffic  
requirements, the  
applicant is to submit  
a restrictive covenant  
which outlines design  
standards, and subject  
to agreement between  
applicant and Shenandoah  
Neighborhood Group.

GRANTED

(COMPLETE TRANSCRIPT ON FILE IN THE CITY CLERK'S OFFICE)

Motion

Councilmember Carl-Mitchell made a motion, seconded by Councilmember Rose to approve the Planning Commission's recommendation subject

to the phasing construction agreement, subject to submittal of the site plan for each tract, staff is to monitor traffic requirements, the applicant is to submit a restrictive covenant which outlines design standards and subject to agreement between the applicant and the Shenandoah Neighborhood Group; the letter addendum would be as part of that agreement and also subject to the applicant's agreement to relocate the building to avoid disturbance of the sink holes found; and will work to provide the 2,000 square foot buffer; to work with staff if there are other significant environmental features found; construct water quality ponds with impervious liners to catch and filter the first one half ( $\frac{1}{2}$ ) inch of runoff in development parcels; install impervious pavers on 15% of the pavement area and provide a permanent pool which will be constructed in the town center tract to maintain the base creek flows, conduct soil borings beginning in January of 1986; and provide the tree surveys for all development tracts prior to site plan approval; and site plans already submitted along 620 and 183 to be approved subject to departmental requirements.

#### Friendly Amendment

Councilmember Shipman offered a friendly amendment that the legally binding documents that have been committed to by the applicant be submitted to the City Council for their review and approval one week prior to the final reading of the zoning. The friendly amendment was accepted.

(On Councilmember Carl-Mitchell's motion, Councilmember Rose's second,  
7-0 Vote)

r-85 EDWARD W. TURLEY  
122 By Fred Arbuckle  
(part)

4401-4415 Small  
Drive, 5701-5709  
Mt. Bornell Road  
4324-4410 Cross  
Valley Run

From "I-SF-2"  
To "SF-6" & "RR"  
(for floodplain)  
NO RECOMMENDATION

GRANTED PUD WITH "SF-2" DENSITY  
FOUR UNITS PER ACRE

(COMPLETE TRANSCRIPT OF HEARING ON FILE IN CITY CLERK'S OFFICE)

#### Motion

Councilmember Humphrey made a motion, seconded by Mayor Pro Tem Trevino to grant "SF-2" PUD zoning with this site plan as it's shown with deed restrictions that say the area that is not built upon, will not be built upon; that the minimum size unit will be 900 feet, that 50% of the units will be masonry with the other of natural surfaces of either wood or stucco; the roofs will be made of tile; the driveway will be at least 15% pervious pavers; and a high energy program of at least 250 points as stated by Resource Management.

Substitute Motion

Councilmember Shipman offered a substitute motion to grant "SF-2" PUD with four units per acres. Councilmember Carl-Mitchell seconded the substitute motion.

Roll Call on Substitute Motion

4-3 Vote, Councilmember Urdy, Mayor Pro Tem Trevino and Councilmember Humphrey voted No.

Motion to Reconsider

Councilmember Carl-Mitchell made a motion to reconsider, seconded by Councilmember Rose. Motion passed by a 7-0 Vote.

Councilmember Shipman explained to the neighborhood why this was being done. "On a 4-3 vote it would require three separate readings and by my remaking the motion then the zoning will not have to go through a lengthy process and it's the same number of units that would be allowed if this were single family, if the "SF-2" zoning were in place, but it allows for a cluster. In fact, there will be no more units there than would be if it were "SF-2", you'll have more tree preservation."

Motion

The Council, on Councilmember Shipman's motion, Councilmember Carl-Mitchell's second, approved "SF-2" PUD at four units per acre with deed restrictions that say the area that is not built upon, will not be built upon; that the minimum size unit will be 900 feet; that 50% of the units will be masonry with the other of natural surfaces of either wood or stucco; the roofs will be made of tile; the driveway will be at least 15% pervious pavers; and a high energy program of at least 250 points as stated by Resource Management. (7-0 Vote)

-85 ROBERT TREMBATH  
149 By Paul Harris  
(part)

Unassigned Address:  
located along North  
Lamar Blvd., North  
of Parmer Lane

From "I-RR" & I-SF-2"  
To Tract a: "GR"  
Tract b: "MF-3"  
NOT RECOMMENDED  
RECOMMENDED Tract a:  
"GO", Tract b:  
"MF-2" floodplain:  
"RR"

GRANTED "DR"; "RR" FLOODPLAIN

(On Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, 5-0 Vote, Mayor Pro Tem Trevino and Councilmember Urdy out of the room.)

12/12/85

-85 PHILIP JOSEPH      Unassigned Address:      From "I-SF-2"  
149 By Philip Joseph      located between      To Tract a: "LO"  
(part)      North Lamar Blvd.      Tract b: "CH"  
                                 & IH-35, South of      NOT RECOMMENDED  
                                 Farmer Lane & IH-35      RECOMMENDED "DR"  
                                 Interchange      for tracts a & b

GRANTED TRACT a: "LO"  
TRACT b: "DR"

(On Mayor Cooksey's motion, Councilmember Rose's second, 5-2 vote, Councilmember Carl-Mitchell and Shipman voted No.)

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-85 ROGER AYERS      12413 Limerick      From "I-SF-2"  
149 By Roger Ayers      Avenue      To "LR"  
(part)      NOT RECOMMENDED  
                                 RECOMMENDED "NO"  
                                 GRANTED "LR"

(On Councilmember Humphrey's motion, Councilmember Urdy's second, 7-0 Vote)

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-85 DAVID DAVISON      11400 Tedford      From "I-SF-2"  
149 By David Davison      To "CS"  
(part)      NOT RECOMMENDED  
                                 RECOMMENDED "NO"  
                                 GRANTED "CS" WITH "NO" USES; ROLL  
                                 BACK TO "NO" IF USE CEASES

(On Councilmember Rose's motion, Mayor Pro Tem Trevino's second, 5-2 Vote, Councilmembers Carl-Mitchell and Shipman No.)

#### ITEM POSTPONED

Council took no action on a resolution to consider appointments to the seventy-eight member Comprehensive Plan Steering Committee and the chairman of same.

#### ITEMS FROM COUNCIL

Mayor Cooksey discussed city limit boundaries in the Lake Austin area, and also discussed Decker Creek Municipal Utility District.



Postponed until December 19, 1985 is an item from Councilmember Shipman to consider creating a Waterfront Planning Advisory Board.

#### PUBLIC HEARING

Mayor Cooksey opened the public hearing, scheduled for 6:30 p.m. on the Sixth Street Mercado Joint Venture.

Beverly Landers said there had not been a settlement agreement.

Paula Phillips told Council the UDAG decision deadline is January 30, 1986.

Mayor Cooksey said bonds will not be voted upon until the matter of Nadine's is settled.

#### Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Humphrey's second, closed the public hearing, approved the Sixth Street Mercado Joint Venture approving the commercial project for financing by the Austin Industrial Development Corporation and closed the Tax Equity Fiscal Responsibility Act hearing. (6-0 Vote, Councilmember Urdy out of the room.)

#### ADJOURNMENT

Council adjourned its meeting at 12:45 a.m., December 13, 1985